

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on March 11, 2009 at 3:00
P.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Art Noonan, Chairman (D)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Shannon Augare (D)
Rep. Carlie Boland (D)
Rep. Mike Jopek (D)
Rep. Jesse O'Hara (R)
Rep. Keith Regier (R)
Rep. Wayne Stahl (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Rep. Llew Jones (R)
Rep. Gary MacLaren (R)
Rep. Mike Phillips (D)
Rep. Scott Reichner (R)

Staff Present: Bryce Bennett, Committee Secretary
Todd Everts, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 440; SB 449; SB 464; SB 475

Executive Action: None

HEARING ON SB 475

Opening Statement by Sponsor:

00:00:58 Sen. John Esp (R), SD 31, opened the hearing on SB 475,
Require notice of oil or gas lease sale.

Proponents' Testimony:

00:02:32 Dave Galt, Montana Petroleum Association
00:02:57 Tom Ebzery, Devon Energy
00:03:31 Joe Lamson, Deputy Director, Department of Natural
Resources

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:38 Rep. Regier
00:04:53 Sen. Esp
00:05:21 Rep. Driscoll
00:05:35 Sen. Esp
00:05:52 Rep. Driscoll
00:05:58 Sen. Esp
00:06:06 Rep. Wiseman
00:06:30 Sen. Esp

Closing by Sponsor:

00:06:53 Sen. Esp

HEARING ON SB 440

Opening Statement by Sponsor:

00:07:16 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on
SB 440, Exempt air quality permits from MEPA review.

Proponents' Testimony:

00:08:30 Steve Wade, Carbon County Holdings LLC
00:08:55 Don Allen, Western Montana Trade Association (WETA)
00:10:12 Rep. Reichner arrived.
00:10:32 Mr. Galt

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00:11:01 Keith Allen, International Brotherhood of Electrical
Workers (IBEW) Local - Local #233

Opponents' Testimony:

00:11:28 Jaybe Floyd, self
00:15:44 Lonnie Ward, self
00:18:14 Helen Coleman, self
00:20:49 Anne Hedges, Montana Environmental Information Center
(MEIC)
00:24:07 Sarah Cobler, Montana Conservation Voters (MCV)
00:24:53 Matt Leow, Northern Plains Resource Council

Informational Testimony:

00:25:17 David Klemp, Bureau Chief, Air Resource Management
Bureau, Department of Environmental Quality

Questions from Committee Members and Responses:

00:25:37 Rep. Wiseman
00:26:05 Mr. Klemp
00:26:58 Chairman Noonan
00:27:27 Sen. Gebhardt
00:27:34 Chairman Noonan
00:27:53 Sen. Gebhardt
00:27:57 Chairman Noonan
00:28:32 Sen. Gebhardt
00:28:56 Chairman Noonan
00:30:28 Sen. Gebhardt
00:30:58 Chairman Noonan
00:31:39 Sen. Gebhardt
00:34:37 Chairman Noonan
00:35:48 Rep. Phillips arrived.
00:35:50 Sen. Gebhardt

Closing by Sponsor:

00:36:39 Sen. Gebhardt

HEARING ON SB 449

Opening Statement by Sponsor:

00:37:24 Sen. Jim Keane (D), SD 38, opened the hearing on
SB 449, Establish oil and gas education account.

Proponents' Testimony:

00:39:31 Ed Bartlett, Northern Alliance of Independent Gas
Producers
00:42:25 Mr. Galt
00:43:26 William Duffield, Montana Association of Oil, Gas, and
Coal Counties
00:44:00 Tom Richmond, Board of Oil and Gas Conservation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:07 Rep. Wiseman
00:46:28 Mr. Richmond
00:47:15 Rep. Wiseman
00:47:21 Mr. Richmond
00:47:53 Rep. Wiseman
00:48:21 Mr. Richmond
00:49:09 Rep. Wiseman
00:49:44 Mr. Richmond
00:50:17 Rep. Wiseman
00:50:36 Sen. Keane
00:51:12 Rep. Stahl
00:51:46 Sen. Keane
00:52:16 Rep. Stahl
00:52:41 Sen. Keane
00:52:49 Rep. Phillips
00:53:36 Mr. Richmond
00:55:19 Rep. Phillips
00:55:40 Mr. Richmond
00:56:17 Rep. Phillips
00:56:39 Mr. Richmond
00:57:01 Chairman Noonan
00:58:15 Sen. Keane
01:00:01 Rep. Phillips
01:00:20 Sen. Keane

Closing by Sponsor:

01:00:30 Sen. Keane

01:00:04 Chairman Noonan opened the hearing on SB 464 and asked Vice Chairwoman Robyn Driscoll to serve as temporary Chair.

HEARING ON SB 464

Opening Statement by Sponsor:

01:00:59 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 464, Prohibiting covenants not to sue in remedial actions on listed sites.

[EXHIBIT\(feh54a01\)](#)

01:03:12 Chairman Noonan resumed as Chair.

Proponents' Testimony:

01:05:24 John Fitzpatrick, self
[EXHIBIT\(feh54a02\)](#)

Opponents' Testimony:

01:14:23 Ken Lay, Atlantic Richfield Company (ARCO)

Informational Testimony: None

Questions from Committee Members and Responses: None

01:19:40 Rep. Reichner
01:21:24 Mr. Lay
01:22:45 Rep. Reichner
01:22:53 Mr. Lay
01:23:34 Rep. Reichner
01:23:42 Mr. Lay
01:23:56 Rep. Driscoll
01:24:21 Mr. Fitzpatrick
01:25:22 Rep. Augare
01:26:36 Sen. Laslovich
01:27:40 Rep. Regier
01:27:59 Mr. Lay
01:28:11 Rep. Regier
01:28:31 Mr. Lay
01:28:54 Chairman Noonan
01:29:36 Mr. Lay
01:29:48 Chairman Noonan
01:30:31 Mr. Lay
01:30:43 Chairman Noonan
01:31:06 Mr. Lay

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01:31:11 Chairman Noonan
01:31:36 Mr. Lay
01:31:51 Chairman Noonan
01:32:18 Mr. Lay
01:32:39 Chairman Noonan
01:34:26 Mr. Lay
01:35:20 Chairman Noonan
01:35:55 Mr. Lay

Closing by Sponsor:

01:36:25 Sen. Laslovich

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ADJOURNMENT

01:38:49 Adjournment: 4:39 P.M.

Bryce Bennett, Secretary

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Additional Exhibits

EXHIBIT(feh54a03) - Letter from T.H. Crawford

Additional Documents:

EXHIBIT([feh54aad.pdf](#))